

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

VOLVY SMILOWITZ,
a/k/a/ Zev Smilowitz,

Defendant.
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ORDER

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: 16 CR 818-3 (VB)
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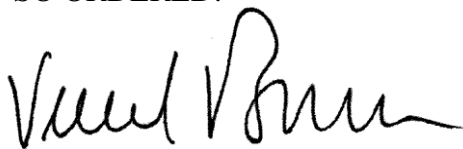
By letter dated November 19, 2020 (Doc. #147), defendant Smilowitz seeks an extension of his surrender date pending his petition for a writ of certiorari to the Supreme Court. Defendant acknowledges that the likelihood of success on the cert petition is “very slim.” However, the government does not oppose the instant application. Because defendant has been compliant with the terms of his release and because the government does not oppose the application, the application is GRANTED.

Defendant Smilowitz shall surrender to the United States Marshal for this district for the service of his sentence no later than 45 days after the petition for certiorari is denied or his conviction is otherwise affirmed by the Supreme Court.

So that the record is clear, the Court explicitly rejects defendant’s argument that the current national health emergency, or defendant’s “personal situation at home,” warrants any sort of delay in his surrender date, now or in the future. If the conviction is not reversed by the Supreme Court, defendant shall serve the prison sentence ordered by the Court.

Dated: November 19, 2020
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge